

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** Chair Alan Doane, on February 16, 2017 at 8:00 AM, in Room 137  
Capitol

#### **ROLL CALL**

##### **Members Present:**

Rep. Alan Doane, Chair (R)  
Rep. Seth Berglee, Vice Chair (R)  
Rep. Laurie Bishop (D)  
Rep. Bob Brown (R)  
Rep. Jennifer Eck (D)  
Rep. Bill Harris (R)  
Rep. Ellie Hill Smith (D)  
Rep. Kathy Kelker (D)  
Rep. Casey Knudsen (R)  
Rep. Theresa Manzella (R)  
Rep. Nate McConnell (D)  
Rep. Shane A. Morigeau (D)  
Rep. Dale Mortensen (R)  
Rep. Zac Perry (D)  
Rep. Lola Sheldon-Galloway (R)  
Rep. Barry Usher (R)  
Rep. Kirk Wagoner (R)

##### **Members Excused:**

Rep. Virginia Court, Vice Chair (D)  
Rep. Matt Regier (R)

**Members Absent:** None

**Staff Present:** Sara Fleming, Committee Secretary  
Helen Thigpen, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 59, 2/10/2017; SB 60, 2/14/2017; SB 63, 2/10/2017;  
SB 64, 2/14/2017; SB 65, 2/10/2017; SB 67, 2/10/2017  
Executive Action: HB 399, HJ 8

**HEARING ON SB 59**

**Opening Statement by Sponsor:**

00:01:20 Sen. Cynthia Wolken (D), SD 48, opened the hearing on SB 59, Generally revise criminal justice laws.

**Proponents' Testimony:**

00:07:57 Mark Pelka, Council State Government Justice Center (CSG)  
[EXHIBIT\(juh34a01\)](#)

00:11:46 Rep. Brodehl  
00:14:13 Sen. Osmundson  
00:15:24 SK Rossi, American Civil Liberties Union (ACLU)  
00:15:52 Brent Mead, Montana Policy Institute (MPI)  
00:17:32 Joe Loos, Missoula Interfaith Collaborative

**Opponents' Testimony:** None

**Informational Testimony:**

00:19:28 Deb Matteucci, Montana Board of Crime Control  
00:20:14 Adrian Slaughter, Department of Corrections (COR)  
00:20:33 Peter Ohman, Office of the Public Defender (OPD)

**Questions from Committee Members and Responses:**

00:21:14 Rep. Kelker  
00:21:48 Sen. Wolken  
00:22:32 Rep. Manzella  
00:22:59 Peter Ohman, OPD

**Closing by Sponsor:**

00:27:14 Sen. Wolken

**HEARING ON SB 60**

**Opening Statement by Sponsor:**

00:27:34 Sen. Cynthia Wolken (D), SD 48, opened the hearing on SB 60, Generally revise criminal justice laws.

**Proponents' Testimony:**

00:30:04 Mark Pelka, Council State Government Justice Center (CSG)  
[EXHIBIT\(juh34a02\)](#)

00:31:53 Rep. Regier joined the meeting  
00:36:00 Brent Mead, Montana Policy Institute (MPI)

**Opponents' Testimony:** None

**Informational Testimony:**

00:36:32 Adrian Slaughter, Department of Corrections (COR)

**Questions from Committee Members and Responses:**

00:36:50 Rep. McConnell  
00:37:21 Sen. Wolken  
00:39:04 Rep. Manzella  
00:40:20 Mark Pelka, CSG  
00:47:45 Rep. Sheldon-Galloway  
00:48:49 Sen. Wolken  
00:50:05 Rep. Manzella

**Closing by Sponsor:**

00:53:03 Sen. Wolken

**HEARING ON SB 63****Opening Statement by Sponsor:**

00:53:45 Sen. Cynthia Wolken (D), SD 48, opened the hearing on SB 63, Revise laws related to supervision of offenders/defendants.

**Proponents' Testimony:**

00:56:52 Mark Pelka, Council State Government Justice Center (CSG)

**[EXHIBIT\(juh34a03\)](#)**

01:10:00 Brent Mead, Montana Policy Institute (MPI)  
01:10:16 Matt Kuntz, National Alliance on Mental Illness Montana (NAMI Montana)  
01:11:29 SK Rossi, American Civil Liberties Union (ACLU)  
01:12:56 Adrian Slaughter, Department of Corrections (COR)  
01:14:37 Mark Murphy, Montana County Attorneys Association (MCAA)  
01:19:43 Peter Ohman, Office of the Public Defender (OPD)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:22:20 Rep. Kelker  
01:23:09 Mark Pelka, CSG  
01:24:08 Rep. Bishop  
01:24:52 Mark Pelka, CSG  
01:27:06 Rep. Harris  
01:27:44 Mark Pelka, CSG  
01:31:21 Rep. Usher  
01:32:02 Adrian Slaughter, COR

**Closing by Sponsor:**

01:32:22 Sen. Wolken  
  
01:32:47 Recess  
01:46:48 Reconvene  
  
01:46:52 Rep. Court joined the meeting

**HEARING ON SB 64****Opening Statement by Sponsor:**

01:47:11 Sen. Cynthia Wolken (D), SD 48, opened the hearing on SB 64, Generally revise laws related to the board of pardons and parole.

**Proponents' Testimony:**

01:50:06 Mark Pelka, Council State Government Justice Center (CSG)  
01:55:50 Adrian Slaughter, Department of Corrections (COR)  
01:58:50 Brent Mead, Montana Policy Institute (MPI)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:59:48 Rep. Regier  
01:59:58 Sen. Wolken  
02:01:42 Rep. Court  
02:02:37 Sen. Wolken  
02:05:46 Rep. Sheldon-Galloway  
02:12:46 Chair Doane  
02:13:00 Rep. Court  
02:13:46 Sen. Wolken  
02:14:58 Rep. Wagoner  
02:15:21 Adrian Slaughter, COR  
02:16:05 Rep. Wagoner  
02:16:26 Sen. Wolken  
02:16:34 Rep. Usher  
02:17:48 Sen. Wolken  
02:21:27 Adrian Slaughter, COR  
02:24:42 Rep. Harris  
02:25:15 Sen Wolken  
02:27:55 Adrian Slaughter, COR

**Closing by Sponsor:**

02:30:30 Sen. Wolken

**HEARING ON SB 65****Opening Statement by Sponsor:**

02:31:18 Sen. Cynthia Wolken (D), SD 48, opened the hearing on SB 65, Generally revise laws regarding housing options for offenders.

**Proponents' Testimony:**

02:35:31 Abigail St. Lawrence, Montana Association of Christians (MAC)  
02:37:07 Mark Murphy, Montana County Attorneys Association (MCAA)  
02:40:30 Joe Loos, Missoula Interfaith Collaborative

**EXHIBIT(juh34a04)**

02:43:55 Mark Pelka, Council State Governor Justice Center (CSG)  
[EXHIBIT\(juh34a05\)](#)

02:48:05 Brent Mead, Montana Policy Institute (MPI)  
 02:49:22 Stacey Anderson, Montana Primary Care Association

**Opponents' Testimony:** None

**Informational Testimony:**

02:50:31 Adrian Slaughter, Department of Corrections (COR)  
 02:50:45 Tina Chamberlain, Montana Board of Crime Control

**Questions from Committee Members and Responses:**

02:51:29 Rep. C. Knudsen  
 02:51:48 Sen. Wolken  
 02:53:35 Rep. Bishop  
 02:54:04 Tina Chamberlain, Montana Board of Crime Control  
 02:54:45 Rep. Bishop  
 02:55:03 Sen. Wolken  
 02:57:41 Rep. Kelker  
 02:58:27 Sen. Wolken  
 02:59:40 Rep. Harris  
 03:01:28 Mark Pelka, CSG  
 03:03:10 Rep. Sheldon-Galloway  
 03:05:37 Sen. Wolken  
 03:07:27 Chair Doane  
 03:08:26 Sen. Wolken  
 03:09:09 Rep. Usher  
 03:09:30 Sen. Wolken

**Closing by Sponsor:**

03:09:42 Sen. Wolken

## **HEARING ON SB 67**

**Opening Statement by Sponsor:**

03:10:55 Sen. Cynthia Wolken (D), SD 48, opened the hearing on SB 67, Generally revise offender intervention program laws.

**Proponents' Testimony:**

03:13:45 Mark Pelka, Council State Governor Justice Center (CSG)  
[EXHIBIT\(juh34a06\)](#)

03:16:08 Brent Mead, Montana Policy Institute (MPI)

**Opponents' Testimony:** None

**Informational Testimony:**

03:16:41 Adrian Slaughter, Department of Corrections  
 03:16:48 Tina Chamberlain, Montana Board of Crime Control

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

03:17:31 Sen. Wolken

03:18:04 Recess

03:26:22 Reconvene

**EXECUTIVE ACTION ON HJ 8**

**Discussion:**

03:26:49 Helen Thigpen, Legislative Services Division (LSD)

03:27:14 **Motion/Vote:** Rep. Berglee moved that **HJ 8 BE TABLED**. Motion carried 18-1 by voice vote with Rep. Wagoner voting no.

**EXECUTIVE ACTION ON HB 399**

03:27:50 **Motion:** Rep. Berglee moved that **HB 399 DO PASS**.

**Discussion:**

03:28:01 Helen Thigpen, LSD

03:28:05 Rep. Hill Smith

03:28:12 Rep. Eck

03:28:52 **Vote:** Motion failed unanimously by voice vote.

03:29:27 **Motion:** Rep. Court moved that **HB 399 BE TABLED**. Motion was without objection.

**ADJOURNMENT**

Adjournment:

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Sara Fleming, Secretary

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Additional Documents:

**EXHIBIT([juh34aad.pdf](#))**